

# **EXHIBIT A**

**Bruce Rosen**

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**From:** Larry Klayman <leklayman@gmail.com>  
**Sent:** Friday, November 06, 2015 5:25 PM  
**To:** Nieh, Andrew  
**Cc:** Dina James  
**Subject:** RE: Simon and Shuster and Painton Depositions and Tina Bennett

We did address the service issues and your objections are abusive and frivolous. Coupled with your nonsense over the witness fees further consultation is pointless as you and your client's are in total bad faith. Time is of the essence and you have already obstructed our properly served subpoenas. Govern yourselves accordingly.

Larry Klayman

On Nov 6, 2015 2:10 PM, "Nieh, Andrew" <[andrew.nieh@cbs.com](mailto:andrew.nieh@cbs.com)> wrote:

Dear Mr. Klayman:

Simon & Schuster and Priscilla Painton do not consent to your motion to compel, which we believe is premature at this stage. We further disagree with your statements that the last correspondence was not in good faith or that we have engaged in any obstructionist tactics. My last correspondence asked if you were available to meet and confer about the many issues surrounding your Subpoenas. You did not respond and, instead, sent the below e-mail, stating that you will be filing a motion to compel today. You also have not even addressed the service issues or our objections to your document requests. If you would like to discuss these issues before proceeding with a motion to compel, please let me know when you are available next week.

Best,

Andrew Nieh

Assistant General Counsel, Litigation and Compliance

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**From:** Larry Klayman [mailto:[leklayman@gmail.com](mailto:leklayman@gmail.com)]

**Sent:** Friday, November 06, 2015 2:33 PM

**To:** Nieh, Andrew

**Cc:** Handman, Laura; [Brian.Toth@hklaw.com](mailto:Brian.Toth@hklaw.com); Ratner, Micah; <[Sandy.Bohrer@hklaw.com](mailto:Sandy.Bohrer@hklaw.com)>; Kevin Marino; Dina James

**Subject:** Simon and Shuster and Painton Depositions and Tina Bennett

Your last correspondence of today is not in good faith.

While the depositions of your clients cannot proceed Monday, November 9, 2015 due to your obstructionist tactics, we will be moving the Southern District on an expedited basis to enforce the subpoenas, including the one for Tina Bennett which call for document production and testimony on the following day, November 10, 2015. Once filed, we will provide the pleadings to you and the other counsel of record.

In the meantime, all counsel should let me know if they consent to our motion to compel video-conference depositions so we can represent this to the federal court. Pl let me know in the next few hours, as we are hoping to file today.

Govern yourself accordingly.

Larry Klayman

